

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48296 of 2024

Arising Out of PS. Case No.-173 Year-2023 Thana- GAMAHARIYA District- Madhepura

BIJENDRA RAM SON OF LATE SUKHDEV RAM VILLAGE- P.O.-
BALIA EKDUARI, P.S.- BASNAHI, DISTT.- SAHARSA, BIHAR 852217

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-08-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Gamharia P.S. Case no. 173 of 2023, registered under sections 409 and 420 of Indian Penal Code.

3. As per the prosecution case, the informant states that on an inspection having been carried out by the superior authority on 15.9.2023, at the post office where the petitioner was posted in the capacity of Sub-Postmaster it transpired that a total amount of Rs. 3,15,444.23/- was missing.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Though the allegation of defalcation etc are all false and incorrect, however without prejudice to his rights and defense, the petitioner



deposited a sum of Rs. 3,15,500/- on 18.9.2023 vide receipt brought on record as Annexure-2 to the petition and he has also been proceeded against departmentally. The petitioner has no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the petitioner having deposited the aforesaid amount of Rs. 3,15,500/- which is more than the alleged amount, discrepancy of which was found in the surprise inspection and the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Gamharia P.S. Case no. 173 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Madhepura.

(Partha Sarthy, J)

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